

Form PTO-1350
(REV 10-94)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEYS DOCKET NUMBER

3967 0164US

U.S. APPLICATION NO

10/527339

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US).
CONCERNING A FILING UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.
PCT/EP2003/010104

INTERNATIONAL FILING DATE
September 11, 2003

PRIORITY DATE CLAIMED
September 17, 2002

TITLE OF INVENTION: CERCICAL VERTEBRA PLATE

APPLICANT(S) FOR DO/EO/US

SCHAEFER, Bernd

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(I)
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:

1. Return Postcard
2. PCT/IB/308

10/527 339 U.S. APPLICATION NO.	INTERNATIONAL APPLICATION NO PCT/EP2003/010104	ATTORNEYS DOCKET NUMBER 3967 0164US
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17. The following fees are submitted:	CALCULATIONS PTO USC Only						
<table style="width: 100%;"> <tr> <td style="width: 50%;">Basic National Stage Fee</td> <td style="width: 50%; text-align: right;">\$ 300</td> </tr> <tr> <td>Nation Stage Search Fee</td> <td style="text-align: right;">\$ 500</td> </tr> <tr> <td>National Stage Examination Fee</td> <td style="text-align: right;">\$ 200</td> </tr> </table>	Basic National Stage Fee	\$ 300	Nation Stage Search Fee	\$ 500	National Stage Examination Fee	\$ 200	<div style="border: 1px solid black; height: 150px; margin: 10px;"></div>
Basic National Stage Fee	\$ 300						
Nation Stage Search Fee	\$ 500						
National Stage Examination Fee	\$ 200						
ENTER APPROPRIATE BASIC FEE AMOUNT =							
Surcharge of \$130.00 for furnishing the oath or declaration later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(e)).							
<table style="width: 100%;"> <tr> <td style="width: 25%;">CLAIMS</td> <td style="width: 25%;">NUMBER FILED</td> <td style="width: 25%;">NUMBER EXTRA</td> <td style="width: 25%;">RATE</td> </tr> </table>	CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE				
<table style="width: 100%;"> <tr> <td style="width: 25%;">Total claims</td> <td style="width: 25%;">12 -20 =</td> <td style="width: 25%;">0</td> <td style="width: 25%;">X \$ 50.00</td> </tr> </table>	Total claims	12 -20 =	0	X \$ 50.00	<table style="width: 100%;"> <tr> <td style="width: 50%;">\$ 0</td> <td style="width: 50%;"></td> </tr> </table>	\$ 0	
Total claims	12 -20 =	0	X \$ 50.00				
\$ 0							
<table style="width: 100%;"> <tr> <td style="width: 25%;">Independent claims</td> <td style="width: 25%;">1 - 3 =</td> <td style="width: 25%;">0</td> <td style="width: 25%;">X \$ 200.00</td> </tr> </table>	Independent claims	1 - 3 =	0	X \$ 200.00	<table style="width: 100%;"> <tr> <td style="width: 50%;">\$ 0</td> <td style="width: 50%;"></td> </tr> </table>	\$ 0	
Independent claims	1 - 3 =	0	X \$ 200.00				
\$ 0							
MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$ 360							
TOTAL OF ABOVE CALCULATIONS =							
Reduction by 1/2 for filing by small entity, if applicable.							
SUBTOTAL =							
Processing fee of \$130.00 for furnishing the English translation later than <u>20</u> <u>30</u> months from the earliest claimed priority date (37 CFR 1.492(f)).							
TOTAL NATIONAL FEE =							
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property							
TOTAL FEES ENCLOSED =							
Amount to be: refunded \$ charged \$							

a. A check in the amount of \$ to cover the above fees is enclosed.

b. X Please charge my Deposit Account No. 50 1030 in the amount of \$ 1040 to cover the above fees.

c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50 1030. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b) must be filed and granted to restore the application to pending status.

Please send all correspondence to: Customer Number 29894

Dr. Paul J. Vincent
 Dreiss, Fuhlendorf, Steimle & Becker
 Postfach 10 37 62
 D-70032 Stuttgart
 Fed.Rep. of Germany

SIGNATURE: Paul Vincent

DATE: March 08, 2005

NAME Dr. Paul J. Vincent

REGISTRATION NUMBER 37,461